

progress has been made in reducing the inappropriate and obsolete barriers among intelligence and law enforcement agencies engaged in counterterrorism, what remains to be done to reduce those barriers, and what legislative actions may be advisable in that regard. In particular, this report should address what steps are being taken to insure that perceptions within the Intelligence Community about the scope and limits of current law and policy with respect to restrictions on collection and information sharing are, in fact, accurate and well-founded.

18. Congress and the Administration should ensure the full development of a national watchlist center that will be responsible for coordinating and integrating all terrorist-related watchlist systems; promoting awareness and use of the center by all relevant government agencies and elements of the private sector; and ensuring a consistent and comprehensive flow of terrorist names into the center from all relevant points of collection.

19. The Intelligence Community, and particularly the FBI and the CIA, should aggressively address the possibility that foreign governments are providing support to or are involved in terrorist activity targeting the United States and U.S. interests. State-sponsored terrorism substantially increases the likelihood of successful and more lethal attacks within the United States. This issue must be addressed from a national standpoint and should not be limited in focus by the geographical and factual boundaries of individual cases. The FBI and CIA should aggressively and thoroughly pursue related matters developed through this Joint Inquiry that have been referred to them for further investigation by these Committees.

The Intelligence Community should fully inform the House and Senate Intelligence Committees of significant developments in these efforts, through regular reports and additional communications as necessary, and the Committees should, in turn, exercise vigorous and continuing oversight of the Community's work in this critically important area.

The PRESIDING OFFICER. Who yields time? The Senator from Kansas is recognized.

Mr. ROBERTS. Mr. President, if I could have the attention of the Senator from Florida, I thank him for his presentation. Essentially, I think what the Senator suggested was the Intelligence Committee, which is the appropriate committee of jurisdiction, have hearings and take a look at the recommendations he just outlined as a result of the investigation by the House and Senate on the 9/11 tragedy. As I have indicated to the Senator before—and he has written me a letter—both Senator ROCKEFELLER and I think that is most appropriate, and we intend to hold hearings just as soon as we can get our current inquiry on the prewar intelligence in Iraq out in a situation where we can present it to the public. I think the Senator has provided a valuable service.

One of the important aspects when discussing intelligence is not only to find out the accuracy and timeliness of the prewar intelligence but also to really get into the recommendations on how we fix things. The Senator has done us a good service. We will have hearings on these recommendations.

Mr. GRAHAM. Mr. President, I thank the Senator for his comments. I particularly appreciate his sense of urgency to move forward on these issues and present to the Senate and the American people a set of reforms that will give them greater security.

ACTIVITIES OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE—IRAQ

Mr. ROBERTS. Mr. President, I rise today in order to update my colleagues in this body on the recent activities of the Senate Select Committee on Intelligence with respect to Iraq. This is a subject that has been in the headlines consistently for many different reasons. But my purpose in rising today is to report to the Senate, for it is an important day in that the Intelligence Committee members, as of this afternoon, will be presented the working draft of what the staff has been working on for better than 7 months.

In June of last year, nearly 8 months ago, the Intelligence Committee began a formal review of U.S. intelligence into the existence of Iraq's weapons of mass destruction programs, Iraq's ties to terrorist groups, Saddam Hussein's threat to regional stability and security in the Persian Gulf, and his violation—obvious violation—of human rights.

This review was initiated as part of the committee's continuing oversight of the U.S. intelligence community's activities and programs, which is always continuing. Our committee staff had, for the previous several months, already been examining the intelligence activities regarding Iraq, including the intelligence community's support to the United Nations weapons inspections in Iraq and the community's analysis and collection of reporting related to the alleged Niger-Iraq uranium deal.

On June 20, 2003, however, Vice Chairman ROCKEFELLER and I issued a press statement. We announced a joint commitment to continue the committee's thorough review of prewar U.S. intelligence. In that press statement, Senator ROCKEFELLER and I agreed to examine the following: the quantity and quality of U.S. intelligence on the Iraqi regime's weapons of mass destruction programs, its ties to terrorist groups, the regime's threat to stability and security in the region, and its repression of its own people.

We also agreed to look at the objectivity and the reasonableness, independence, and accuracy of the judgments reached by the Intelligence Community; whether those judgments were properly disseminated to policymakers in the executive branch and the Congress; whether—and this is very important—any influence was brought to bear on anyone to shape their analysis to support policy objectives; finally, other issues we might mutually identify in the course of the committee's review.

I laid out three phases of the committee's overall Iraq review. First, to evaluate the quantity and quality of the intelligence underlying prewar assessments concerning Iraq; second, to determine whether the analytical judgments contained in those assessments were objective, independent, and reasonable; third, to evaluate the accuracy of those assessments by comparing them with the results of the ongoing investigative efforts in Iraq.

This afternoon, as I have stated, our committee members will begin reading and reviewing the staff's draft report, which does contain the committee's efforts to complete the first and second phases of the review. The third and final phase will be completed when the Iraq survey group completes its work in Iraq.

Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. ROBERTS. I am delighted to yield.

Mr. WARNER. Mr. President, I am privileged to serve on the committee with the Senator. There has been criticism, raising the inference that we have not in the Senate been addressing this with the depth and sincerity and interest we should.

I take great umbrage at that. Under the leadership of the chairman and, indeed, myself, we are the ones who brought David Kay up. We are the ones who put David Kay on the stand, the Intelligence Committee first, and before the Armed Services Committee immediately following, and subjected him to cross-examination after the delivery of his report. His report is a mixed one in certain ways, in my judgment, but nevertheless in no way were we not taking the initiative to bring this to the forefront.

I say also, yesterday the Armed Services Committee heard from the Secretary of Defense. The distinguished chairman was present. He is a member of that committee. Again, the first questions on WMD and precisely the question of whether or not there was any manipulation or distortion came from the Chair, myself, addressed directly to the Secretary.

Any objective analysis of the reports out of that hearing this morning—it was covered by the press—he faced it head on and answered those questions.

As we are speaking, I just departed the television where Director Tenet is now addressing the Nation. So I think the President and his principal deputies are facing square on these complex issues, as is the Senate.

I commend the chairman, and perhaps he will agree with my observations.

Mr. ROBERTS. Mr. President, I fully agree with the distinguished chairman of the Armed Services Committee, and I am very proud to serve on that committee, as well as privileged being the chairman of the Intelligence Committee.

We discussed this at great length. All members of these committees discussed it at great length. We have a responsibility to the American people to

fully investigate this and to publicly, when we can, when we are not dealing with any classified information, tell the American people what they should know and have a right to know. We are proceeding in that fashion. We are taking this very seriously, which is why I am trying to summarize now for the Senate and for all those who may be interested in this issue precisely what we have done to date in regard to the Intelligence Committee.

The Senator is exactly right, he has taken the lead in the Armed Services Committee with the appropriate people within the military, and I thank him for his contribution.

Mr. WARNER. Mr. President, I thank the Senator.

Mr. ROBERTS. Mr. President, our review in the Intelligence Committee began in earnest in early June of last year when the intelligence community did provide our committee with 19 volumes—19 volumes, floor to ceiling—and they contained approximately 15,000 pages of intelligence assessments and sources and source reporting underlying the assessments of the Hussein regime's WMD programs. They also pertained to ties to terrorist groups, the threat to stability and security in the region, as I have said before, and the repression of his own people.

Our committee staff began immediately to read and analyze every report provided to determine how intelligence analysts reached their conclusions and whether any assessments were not supported by the intelligence provided to the committee.

Our committee staff endeavored to the greatest extent possible to disregard—to disregard—postwar revelations concerning Iraq in order to replicate the same analytical environment enjoyed by the intelligence community analysts prior to the war.

In late August and early September of 2003, our committee staff did request additional intelligence to substantiate the intelligence community's assessments which staff judged were not sufficiently supported by the intelligence that had been previously provided. Not only did we ask for the original information, but when we were not satisfied, we asked for more; we demanded more.

Our committee staff began to receive this additional supporting intelligence in October of 2003. In late October, the staff requested any intelligence which had not already been provided that contradicted the intelligence community's prewar analysis in regard to Iraq.

For example, the committee staff requested intelligence that showed Iraq had not reconstituted its nuclear program, had not renewed the production of chemical agents, and had abandoned an offensive biological weapons program. In early November of 2003, the intelligence community wrote to the committee that it was working to provide the contradictory intelligence we requested.

In the same letter, the community stated it had uncovered an additional six volumes of intelligence material that supported its assessments on Iraq's WMD programs, and the community did provide the contradictory intelligence information in late November.

I want my colleagues to realize that this has been an extremely thorough undertaking. During the 8 months of the committee's review, our committee staff submitted almost 100 requests for supplemental intelligence information, received over 30,000 pages of documents in response to those requests, and reviewed and analyzed each document that was provided.

Additionally, our committee staff have interviewed more than 200 individuals, including intelligence analysts, senior officials within the Central Intelligence Agency, Defense Intelligence Agency, Department of Defense, Department of Energy, Department of State, National Ground Intelligence Center, the Air Force, and the Federal Bureau of Investigation.

They have also questioned former intelligence analysts, national intelligence officers, operations officers, collection managers, signals intelligence collectors, imagery analysts, nuclear experts with the International Atomic Energy Agency, ambassadors, former United Nations inspectors, Department of Defense weapons experts, State Department officials, and staff members of the National Security Council.

Additionally, the committee has held three hearings on aspects of United States intelligence on Iraq, a hearing on the Iraq-Niger connection, a briefing by the CIA and State Department inspectors general on their review of the Iraq-Niger issue, and a hearing on the history and the continuity of weapons of mass destruction assessments that pertain to Iraq.

These efforts have enabled our committee staff to develop a full understanding of the quantity and quality of intelligence reporting supporting the intelligence community's prewar assessments.

Our committee staff have also gained an understanding of how intelligence analysts throughout the community used that intelligence to develop their assessments on these issues and how those assessments were actually disseminated to policymakers, and whether those assessments were reasonable, objective, independent, or if there was any political consideration and, again, whether any influence was brought to bear to shape their analysis to support any policy objective.

The professional bipartisan staff of the Intelligence Committee I think has done an outstanding job. It is a very complete job. For the next 3 weeks, however, it will be the members of the committee, our turn to do our work by reading and reviewing and suggesting any changes to the report.

I only hope that members will not prejudge the report. Let me repeat

that. I only hope that members will not prejudge the report—there has been activity in the past indicating plans to do just that; I hope that does not happen—and that they will take the time to actually read the information in order to make informed critiques of the material.

This report can have a profound impact—it will have a profound impact—on the future of our intelligence community as we face the threats of a new century. However, this can only be done if colleagues on both sides of the aisle put aside election year politics and review the facts in an objective and unbiased manner.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kansas has 9 minutes remaining.

Mr. ROBERTS. Mr. President, I wish to read a statement by Winston Churchill which I think has application to the inquiry we are conducting in the Intelligence Committee and the whole issue in regard to the credibility and the timeliness of intelligence prior to the war in Iraq. Sir Winston Churchill said this upon hearing about the attack on Pearl Harbor:

Silly people, that was the description many gave in discounting the force of the United States. Some said they were soft, others that they would never be united—

Let me repeat that.

That they would never be united, that they would never come to grips. They would never stand bloodletting. Their system of government and democracy would paralyze their war effort.

Let me repeat that.

Their system of government and democracy would paralyze their war effort.

Now we will see the weakness of this numerous but remote, wealthy and talkative people.

Referring to Americans.

But, I have studied the American Civil War fought out to the last desperate inch. American blood flowed in my veins. I thought of a remark made to me 30 years before: The United States is like a gigantic boiler. Once the fire is lighted under it, there is no limit to the power it can generate. It is a matter of resolve.

I am concerned in what appears to be almost a blast furnace of politics at a very early time, in an even-numbered year—and I understand that. I know politics is not bean bagged, and I know that my colleagues have very serious differences of opinion, as we will on the committee, but I hope what Sir Winston said: "Some said they were soft, others that they would never be united . . . their system of government and democracy would paralyze their war effort," is not true in regard to the global war on terrorism. I have some concerns about that.

I indicated at the first, when I knew it was our responsibility and obligation, in working with the distinguished vice chairman of the Intelligence Committee, that we would do our job and that we would do it just as bipartisan as we possibly could, that it would be

thorough. It is my view that this draft report, and then what the Members will agree to, will be the most thorough review of the intelligence community in the last decade. I also said that we will make every effort to hold public hearings, because the American people have a right to know, and we will let any political chips fall any way they want to fall.

I yield the floor.

The PRESIDING OFFICER. Who yields time? Under the previous order, the majority leader controls the next 23½ minutes and the Senator from California then would control 23½ minutes. The Senator from Mississippi.

Mr. LOTT. Mr. President, with the Senator's agreement I will go ahead and proceed since we did have, I think, about 27 or so minutes.

Mr. ROBERTS. I yield the floor. May I inquire as to how much time I have remaining?

The PRESIDING OFFICER. The Senator from Kansas has 5 minutes remaining.

Mr. ROBERTS. I ask unanimous consent that that time be yielded to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Mississippi is recognized for 5 minutes.

KEEPING POLITICS OUT OF INTELLIGENCE COMMITTEE FUNCTION

Mr. LOTT. Mr. President, let me first commend and congratulate Senator ROBERTS, the chairman of our Select Committee on Intelligence, for the leadership he is giving on that very important committee. It is a very important and difficult assignment.

I thought his statement today was a very good one. I jokingly said, but I meant it sincerely, I could not quite tell when he went from quoting Churchill to speaking for himself because the eloquence was very close.

He makes a plea that is so important, and that is: Do not prejudice what the subcommittee is going to do. Members of the Intelligence Committee should not prejudice the information we are going to receive in the staff report. We should work together to see what we have and what conclusions we reach and what should be done. That is our job.

I acknowledge that this is another in a series of what has been described in many different ways but I just refer to it as "oops" hearings—oops, we missed something here. But it has been going on for years.

There was not a clear indication of what was happening in the Soviet Union, that they were imploding economically and they did not have the strength we thought they did in the defense area. We had Khobar Towers. We have had a series of events that our intelligence did not pick up. Once again, we find ourselves now, with the 9/11 Commission, working to see what we

missed perhaps in our intelligence and law enforcement community before 9/11. It should not be approached, though, with the idea of condemning some particular individual but finding out what happened: Why did we not do a better job? What did we not know? And more importantly, what are we going to do about it?

I am tired of oops hearings that happen after the fact and nothing really changes. Are we going to make a real change this time? Can we do a better job with our intelligence, and our intelligence community? I think we can.

By the way, when we start pointing a finger of blame, we better look in the mirror first. We have had these intelligence committees since the 1970s. We have known that their budget has not been adequate through much of the 1990s. We have known that we lost our ability to have human intelligence, people on the ground. It became politically incorrect in the 1970s to have the head of, say, a financial institution in Buenos Aires to be headed by an American who was an agent, or a journalist who was working for a newspaper but was an agent. We have made it extremely difficult. We have become too caught up in sophistication, thinking we could get enough with satellites or with technology. It is not enough.

I think what we need to do is lower the rhetoric. I know this is a political year, an election year. Everything is going to be somewhat political on both sides, but can we spare one thing, just one thing, from the political agenda? Can we not separate out intelligence and how we support it? Can that not be bipartisan? Now there is a call for an independent commission. We have even dropped "bipartisan." Now it is "independent."

Who decides that it is independent? Some people are indicating if the President calls for an independent commission, one to which he appoints good men and women, that is not independent, but if it is one established by the Congress where we name Republicans and Democrats; that is independent.

Quit the blame game. Ask legitimate questions. Work together. Draw conclusions and, more importantly, take action. Intelligence is so critical. In some respects it is even more critical than defense spending, because if we do not have good intelligence and if we do not have a reliable intelligence apparatus that works with our defense, our men and women are exposed to uncertainty, unknown difficulty, and death.

We are talking about the lives of young men and women. Is it good that we are condemning and revealing information about the quality of our intelligence community while our men and women are today in Iraq, Afghanistan, and all over the world, who are relying on the ability of our agents, the CIA, the DIA, the different organizations we have doing intelligence? Even doing that is dangerous, in my opinion.

We should do our work. I am not happy with the intelligence. I do not

think the intelligence was what it should have been. It was inadequate, maybe even inaccurate. But why? There was large agreement not only within our community but also with agencies from around the world.

Has my time expired?

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator's time has expired.

Mr. LOTT. I believe the Senator from Kansas yielded to me some more of his time, if I could inquire about using an additional 2 minutes.

The PRESIDING OFFICER. Under the previous order, the majority leader or his designee has 24½ minutes.

Mr. LOTT. Madam President, I yield myself an additional 2 minutes of time that has been designated for the leader or Senator ROBERTS. I will be brief because I know Senator FEINSTEIN is waiting.

Mr. ROBERTS. Will the Senator yield?

Mr. LOTT. I would be glad to yield.

Mr. ROBERTS. I think the original order has it that the majority leader or his designee will be recognized for the next 24 minutes. In discussing this with Senator FEINSTEIN, I know she has waited patiently and she has 22 minutes reserved.

I ask unanimous consent that after the remarks of Senator LOTT Senator FEINSTEIN be recognized for her remarks and we would reserve the remainder of our time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LOTT. Madam President, I conclude by talking about what we should do now. The Intelligence Committee should do its job. We should not jump to conclusions. Let's review the report. Let's do our homework. We pushed so much of it off on our staff, now it is time we do it ourselves. Let's read what is in there and then let's decide what recommendations we are going to make.

Why do we have these committees that are evenly divided? I have studied the history. I have been involved in how the Intelligence Committee works. We have carefully tried to make sure we put our best on that committee and that it is equally divided and that it is not partisan. The same thing in the House. Now it is time we lead and show some direction.

I hope we will take some action. I am for actually making some really aggressive rules. I am not sure our intelligence community is set up properly. I don't like the idea that we have 13 different agencies running around. Who is in charge, who coordinates and asks them and directs them? I think there are some problems there.

Then there are those saying we need an independent commission. The President said we should have one. Let's do everything we can to find out the facts and see the recommendations and take action and reassure ourselves and the American people. Now that is being condemned.